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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/758,529

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Minoru Tsuchida

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08/31/2006

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EXAMINER

PAHNG, JASON Y

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/758,529	Applicant(s) TSUCHIDA, MINORU	
	Examiner Jason Y. Pahng	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-9 is/are allowed.
- 6) ☒ Claim(s) 1-5, 10-18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

In view of Applicant's response, the objection to the specification made in the last Office action has been withdrawn.

Claim Objections

The amendment overcomes the claim objections made in the last Office action.

Claim Rejections - 35 USC § 112

The amendment overcomes the claim rejections made in the last Office action.

Allowable Subject Matter

Claims 6-9 are allowed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 10-12, 16, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 6,336,601) in view of Becher (US 6,141,945).

With regard to claims 1, 2, 10, 11, Ueno discloses substantially all of the claimed process including:

1. processing composite waste including combustibles and incombustibles;
2. dry distillation (column 1, lines 18-21) to generate a dry distilled waste;
3. the dry distillation process followed by a shredding process (column 7, line 33) to generate a shredded dry distilled composite waste; and
4. the shredding followed by separating the shredded composite waste into combustible carbide and incombustibles (column 1, lines 15-22).

Ueno does not disclose pressing the composite waste to decrease the outer dimension of the composite waste. In a closely related art pertinent to the problem, Becher discloses processing composite waste including pressing the composite waste to decrease the outer dimension of the composite waste and to generate a parallelepiped high density pressed composite waste in order to reduce conveying expenses (column 2, lines 63-67). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Ueno with pressing the composite waste to decrease the outer dimension of the composite waste and to generate a high density pressed composite waste in order to reduce conveying expenses, as taught by Becher.

With regard to claims 3 and 12, Ueno discloses a coarse shredding process and a fine shredding process for the shredding process (column 9, lines 8-12).

Claim 16 calls for separating metals from shredded residuals. Ueno discloses separating metals from shredded residuals (column 7, lines 34-36) in order to recycle metals.

With regard to claim 18, Ueno discloses dry distillation in a nitrogen atmosphere (column 8, lines 35-37) at 250 degrees (column 3, lines 57 and 58).

With regard to claim 20, Ueno discloses separating metals from shredded residuals (column 7, lines 34-36) in order to recycle metals. Ueno also discloses glass material (column 10, lines 47-49) and carbide material (column 26, lines 12-19).

Claims 4, 5, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 6,336,601) in view of Becher (US 6,141,945) as applied above, further in view of Weber (US 4,376,373).

Claims 4, 5, 13, and 14 call for the composite waste to be a body, seats, and ornamental materials of a car. In a closely related art pertinent to the problem, Weber teaches that cars may be heated in a chamber at a high temperature for recycling. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Ueno (as modified) with a body, seats, and ornamental materials of a car in order to heat the car in a chamber at a high temperature for recycling, as taught by Weber.

With regard to claim 5, Ueno as modified by Becher already discloses a parallelepiped pressed composite material as disclosed in the rejection of claim 1.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 6,336,601) in view of Becher (US 6,141,945) as applied above, further in view of Weber (US 4,376,373) as applied above, further in view of Applicant's Admitted Prior Art (AAPA). Claim 15 calls for dismantling engine, battery, tires, fuel tank and suspension from a waste car body. AAPA discloses dismantling engine, battery, tires,

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fuel tank and suspension from a waste car body in order to prepare for recycling process (page 2). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Weber (as modified by Ueno and Sharp) with dismantling engine, battery, tires, fuel tank and suspension from a waste car body in order to prepare for recycling process, as taught by AAPA.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 6,336,601) in view of Becher (US 6,141,945) as applied above, further in view of Applicant's Admitted Prior Art (AAPA). The examiner's statement of Official notice in the last Office action was not traversed by Applicant, and thus the common knowledge is taken to be admitted prior art. See MPEP 2144.03. AAPA discloses that separating metals including iron, aluminum, stainless steel, and copper from shredded automobile recycling material in order to recycle the metals is obvious to an ordinary skill in the art. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to teach Weber (as modified) to separate metals including iron, aluminum, stainless steel, and copper from shredded automobile recycling material in order to recycle the metals, as such is well known and obvious in the art and as taught by AAPA.

Response to Arguments

In view of Applicant's arguments, the claim rejections under Weber in view of Ueno and Sharp have been withdrawn.

However, all the claims have been rejected in view of the new grounds of rejection as above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

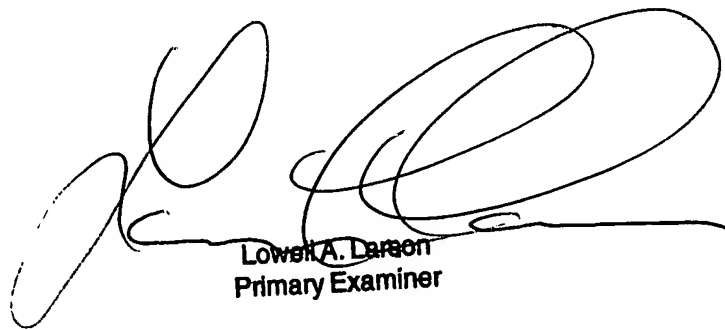
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Y. Pahng whose telephone number is 571 272 4522. The examiner can normally be reached on 9:00 AM - 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571 272 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JYP



Lowell A. Larson
Primary Examiner